Complex) (Training, Grading and Seniority) First Amendment Regulations, 1991 [Placed in Library. *See* No. I.T— 778/91]

II. A copy (in English and Hindi) of the Ministry of Surface Transport (Shipping Wing) Notification G.S.R, No. 652(E), dated the 28th October, 1991, publishing the National Welfare Board for Seafarers (Amendment) Rules, 1991, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [Placed in library. *See* No. I.T-779/911

Notifications of the Ministry of Coal under Coal Mines Provident Fond and Mescellaneous Provisions Act, 1948

THE MINISTER OF STATE OF THF. MINISTRY OF COAL (SHRI P. A. SANGMA); Madam, I lay on the Table. under section 7A of the Coal Mines Provident Fund and Miscellaneous Provisions Act. 1948 a copy each (in English and Hindi) of the following Notifications of the Menistry of Coal:—

(i) G.S.R. No. 505, dated the 7th September, 1991, publishing the Andhra Pradesh Coal Mines Provident Fund (Amendment) Scheme, 1991.

(ii) G.S.R. No. 506, dated the 7th September, 1991, publishing the Coal Mines Provident Fund (Amendment) *Scheme,* 1991.

(iii) G.S.R. No. 507, dated the 7th September, 1991, publeshing the Rajasthan Coal Mines Provident Fund (Amendhien!) Schemie, 1991. [Placed in Library. *See* No. T,T-811/91-

MESSAGE FROM THE LOK SABHA

Tea Companies (Acquisition and Transfer of Sick Tea Units) Amendment Bill 1991

THE SECRETARY-GENERAL: Madam, I have *to* report to the House the following .message received from the Lok Sabha, sigaed b? *the* Secretary-General of the Lok Sabha;

In accordance with the provisions of rule 96 of the Rules of Proce dure and Conduct of Business in Lok Sabha, I am directed to en close the Tea Companies (Acquis-tion and Transfer of Sick Tea Units) Amendment Bill, 1991, as passed by Lok Sabha at its sitting held on the 29th November, 1991.

Madam, I lay a copy of the Bill on the Table.

RE CONFESSIONAL STATEMENT OF SHRI R NAGARAJAN FORMER TAMIL NADU HOME SECRETARY

SHRIMATI JAYANTHI NATARA-! JAN (Timil Nadu): Madam, please look at the statement in the papers today.. . *(Interruptions')*

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश): मैडम, राजीव गांधी की हत्या में... (व्यवधान)

SHRI TINDIVANAM G. VENKAT-RAMAN (Tamil Nadu); Madam, we request the Government to institute an Inquiry Commission. *(Interruptions)*

THE DEPUTY CHAIRMAN; May 1 *reqiest* the hon. Members to go back to their seats? T think, you don't sit here. She doesn't sit there. Please go back to your seats. *(Interruptions')* Please go back to your seats.

SHRI TINDIVANAM G. VENKAT-RAMAN; It is unknown to the criminal law. *(Interruptions)* An accused has no riyht.to approach the Magistrate. .. (Tn-*terruprions)*

THE DEPUTY CHAIRMAN; Please go back to your seats.

SHRI TINDIVANAM G. VENKAT-RAMAN; It is not a statement... *(In-lemtp/tons)*

THE DEPUTY CHAIRMAN; Just a minute. Pandeyji please go back to your seat. *(Interruptions)* Please go back to your seats, *(Interruptions)* Please take

[The Deputy Chairman] your seats. Go back to your seats. *(/;;. terruptions)*

SHRI M. VINCENT (Tamil Nadu); Nagarajan made the statement on his own volition. *(Interruptions).* We are maintaining law and order. *(Interruptions).*

SHRI TINDIVANAM G. VENKAT-RAMAN; Madam... *(Interruptions).*

SHRI S. VIDUTHALAI VIRUMBI (Tamil NaduV). Madam... *(Interruptions)* .

THE DEPUTY CHAIRMAN; Please go back to your seat.

(Interruptions),

SHRI M. S. GURUPADASWAMY (Uttar Pradesh); Let the Government appoint a commission of inquiry on the role of the State Government... *(Interwp-lions).*

SHRI TINDIVANAM G. VENKAT-RAMAN; We want ain enquiry a Sup reme Court judge... *(Interruptions).*

THE DEPUTY CHAIRMAN; Please take your seat.

SHRI TINDIVANAM G. VENKAT-RAMAN; We want a full-fledged enquiry… *(Interruptions).*

THE DEPUTY CHAIRMAN; I request everybody; if you want a discussion, I will ask the Home Minister to come,

SHRI M. VINCENT; Criminate should be arrested immediately... *{Interruptions).*

THE DEPUTY CHAIRMAN; I cannot ear anything. Please sit down. I will all the Home Minister and discus, with him and let you know... *(Interruption*)*

SHRI M. VINCENT D.IM..K.: can't escape by prolonging it through enquiry... *(Interruptions)*

SHRI TINDIVANAM G. VENKAT-RAMAN; Madam we want a full-fledged enquiry The criminals should be arrested, *(Interruptions),*

THE DEPUTY CHAIRMAN; Please go back to your seats. I will get the Home Minister... *(Interruptions)*, If the Member don't go bask to their seats, J will adjourn the House; I am not going to allow it like this. I request the Mem-he rs to go back, op I will adjourn the House.. . *(Interruptions)*

1 adjourn the House for fifteen minutes

The House then adjourned for fifteen minute's at fourteen minutes past twelve of the clock

The House reassembled at thirty minuteis past twelve of the clock,

[The Deputy Chairman in the Chair.]

डा० रत्नाकर पाण्डेय : माननीय उपसभापति जी, गृह मंत्री आ गए हैं... (व्यवधान)

उपसभापति : गृह मंत्री जी आ गए हैं, वे बोलेंगे... (व्यवधान) पहले आप बैठिए तो ... (व्यवधान)

Ye's, 1 will permit, you... *(Interruption)* Please sit down,., *(Interruptions)* Just a minute... *(Interruptions)* Will you please sit down?... *(Interruptions)* Pleasee go back to your Seats,.. *{Interruptions)* whatever you want to say, later.. . *(Interruptions)* Please take your seat.. . (*interruptions)* Mr. Narayanasamy, please sit down. I am rot permitting you... *{Interruptions)* I am not allowing.. . *{Interruptions)* You wanted the Home Minister He is here.. . *(Interruptions)* I am not allowing now. Please take your seat... *(Interruptions)* I won't permit like this.

Mr. Narayanasamy, I am not permitting you.. . *(Interruptions)* Please take your seat... *(Interruptions)* You go back *(Interruptions)*

SHRI TINDIVANAM G. VENKAT-RAMAN; I challenge there is no provisions... *(Interruptions)*

THE DEPUTY CHAIRMAN; I sar, please go back.. . *(Interruptions)* The Minister is here. I will allow you to

say what you wanl to say... *(Interrnp-lions-)* I will permit everyone who wants to say something. But don't make it a discission.., *(Interruptions)* Let t?i. Home Minister know what your grievances are... *{Interruptions)* Please let the Home Minister know what is agitating you. You wanted him. 1 have allowed him to come here. He has come. He is going to listen and then he will reply. *(Interruptions)* When I said please. *(Interruptions)*

SHRI A. G. KULKARNl (Maharashtra). May I request you that the Home Minister should make a statement about what he knows. . *(Interruptions)*

THE DEPUTY CHAIRMAN; Let the House run in an order.. . *(Interruptions)* Please tit down. I said 1 will permit you when your time comes.. . *(Interruptions)*

SHRI TINDIVANAM G. VENKAT-RAMAN: I want the Home Minister to go through (he statement made by Mr. Nagarajan... *(Interruptions)*

THE DEPUTY CHAIRMAN: We have something other than Air India. Let this subject be over. Then we can take the serious issue of Air India, When the Members are raising some other issue, let it be over. Yes, Mrs. Jayanthi Natarajan. Please be extremely brief. We have already lost half-an-hour. *(Interruptions)*

SHRI TINDIVANAM G. VENKAT RAMAN: Madam...

THE DEPUTY CHAIRMAN: I will allow you. After Jayanthi. I will allow you.

SHRIMATI JAYANTHI NATARA-JAN: Madam, a very matter illegible arisen, a grave important national issue. From die statement, not a confession, but a voluntary statement to be treated as the statement of a witness of the former Home Secretary of Tamil Nadu, Mr. Nagarajan, where he has said—I am reading from 'Hindu* and this news has been in the headlines $_0$f all daily newspapers—"Karunanidhi is responsible, says Naga-rajan, for LTTE activities in Tamil Nadu

The importance of this statement is the fact that Mr. Nagarajan was one-of the closes! persons of Mr. Karunanidhi is lhe Chief Minister. All of us know and we have stated this on the floor of this House time and again. As the Home Secretary, he had the portfolio of law and order. For the first time, it has happened. So long, it had always been under the Chief Secretary, law and order was the Chief Secretary. Law and other directlv handled by Mr. Nagarajan. He was functioning as *de facto* Chief Minister-He was actually the 'deputy Chief Minister' of Tamil Nadu. Even his Cabinet colleagues di, | not have that kind of importance. And for th.at man to involve Mr. Karunanidhi with the LTTE activities is the most horrible and shameful thing that could have ever happened with his involvement. Mr. Nagarajan has brought to light a grave issue which places a question mark not only on the nationalist character of the people involved. hut also on the facte of the inquiry into th$_e$ assassination o$_r$ Shri Rajiv Gandhi. which is of great importance to us.

Madam, only two issues I want to raise. There was a terrible killing of the Sri Lankan leaders that took place on 19.6.1990. More than 16 people were shot down in cold blood in the heart of the city of Madras. Mr. Karunanidhi and the then Prime Minister. Shri V. P. Singh, were sitting in Delhi a' that time in a meeting of the National Development Council. Mr. Karunanidhi was shouting from fte roof-top that there was no LTTE activity in Tamil Nadu and Mr V. P. Singh was listening to that. That night so many people were shot down ia cold Mood m the city of Madras, including Mr. Pad-manabhan, the Sri Lankan leader. When all of us went in a procession, we it-quested that Shri Karunanidhi should immediately be sent for by the Prime Minister of India because the LTFB activity was going on in Tamil Nadu. Mr. V. P. Singh kept quiet He was a silent spectator. He allowed all this to happen. He allowed Mr. Karmaatdhi to run wild. They allowed the killers to Padmanabhan to escape. Mr. Nagarajan says that oral instructions were, ghn*

[Shrimati Ja'yanthi Natarajan]

by Mr. Karunanidhi. They allowed the killers of Padmanabham to escape, escape from 22 police check-posts, from the city to the coast line, sit there and take dinner. *

SHRI MOHAMMED AFZAL alias MEEM AFZAL (Uttar Pradesh): She cannot charge like this. What has this Government done? *(Interruptions)*

DR. RATNAKAR PANDEY: It is a very serious matter. Do not take it lightly.

AN HON. MEMBER: They are un-necessarily taking the name of Shri V. P. Singh.

SHRI MOHAMMED AFZAL alias MEEM AFZAL: You should also be serious. You are just taking political ad vantage out of it. *(Interruptions).*

THE DEPUTY CHAIRMAN: Please sit down. One serious issue cannot undermine another serious issue. Please take your seat. *(Interruptions).*

SHRI S. VIDUTHALAI VIRUMIBI: I am on a point of order.

THE. DEPUTY CHAIRMAN: What is your point of order? *(Interruptions)* The issue is before the House. You want to say something. I will allow you, but do" not interrupt. It is a serious matter. Yours is also a serious matter but; both cannot be taken up together.

SHRI MOHAMMED AFZAL alias tMEEM AFZAL: This is not the way to try to~invelve Shri V. P. Singh.

SHRI S. WDUTHALAI VIRUMBI: I am raising a point of order. The hon. Member is accusing a leader who is not (a Member . of the House. I want to know whether it is allowed.

SHRIMATI JAYANTHI NATRA, IAN: Madam, we are concerned with the assassination of Shri Rajiv Gandhi.

THE DEPUTY CHAIRMAN: My ru-ling is ...*(Interruptions),* I will give my

SHRI MOHAMMED AFZAL alias MEEM AFZAL; What has the Home Minister done about Rajiv Gandhi's murder? Have you done anything? *(Interruptions).* All those people under police custody were killed. What about

that, Mr. Home Minister What have you don$_e$ till now?

....*(Interruptions)*..

SHRI P. UPPENDRA (Andhra Pradesh): Point of order.

THE DEPUTY CHAIRMAN: Let me deal with one point of order first. ... *(Interruptions)*... You see, you have rai sed the issue and you have said that Mr. Karunanidhi is not a Member of this House .....*(Interruptions).* Just a mi nute, please. Let me speak. You havo said that he is not a Member of this House and she is taking his name. She is not discussing Mr. Karunanidhi. She is discussing the confession of the then Home Secretary of Tamil Nadu Govern ment- before a commission of inquiry or a court or whatever it is... *(Interrup tions)* . Now, please, -will you have pa tience when the Chair is speaking? So, in reference to that she is asking. She is not taking his name directly.

SHRI DIPE.N GHOSH (West Bengal) : Madam, can we discuss any matter....

SHRI GURUDAS DAS GUPTA (West Bengal): It is *sub judice.* .. . *(Interrup tions)* ...

THE DEPUTY CHAIRMAN: No, it came in the newspapers. She is talking about that. . . *(Interruptions)* . . .

SHRI DIPEN GHOSH: I am on a point of order.

SHRI GURUDAS DAS GUPTA: Madam, I am on* a point of ~ order;

SHRI DIPEN GHOSH: Madam, after hearing your ruling, I am oh a point *of*' order. .... *(Interruptions)*...

THE DEPUTY CHAIRMAN; She is not questioning .,... *(Interruptims)*...

SHRI DIPEN GHOSH: T am on a point of order.

SHRI P. UPENDRA: Madam, I am *on* a point of order. ... *{Interruptions)* ...

THE DEPUTY CHAIRMAN: Will you stop this gentleman, please? Then I can allow you to have your point of order. . . . (*Interruptions)*.... Please take your seat.

SHRI DIPEN GHOSH: I am on a point of order. The question is, if we cannot discuss Mr. Karunanidhi, as you were saying right now...

THE DEPUTY CHAIRMAN: No, she is taking Mr. Karunanidhi's name, not directly.

SHRI DIPEN GHOSH: I am on a point of ord?r. Madam. You were saying that the ex-Home Secretary who is under detention under TADA has given a statement before a court of inquiry or whatever it is. ... *{Interruptions). . .*

THE DEPUTY CHAIRMAN: She will explain what she is saying. Let her explain.

SHRI DIPEN GHOSH: That statement here has implicated somebody else. Can we discuss that issue, which is *sub ft/dice, on* the floor of this House? . *(Interruptions) . . .*

SHRI P. UPENDRA. On a point of order.

THE DEPUTY CHAIRMAN: Just u minute. Let her answer, please..... *(Interruptions) . : .* Because he has raised an issue_> let her answer that.

SHRI SATYA PRAKASH MALA-VTYA (Uttar Pradesh): She has already started reading the statement... *(Interruptions)* ...

THE DEPUTY CHAIRMAN: Let her answer.. I will allow you. Why are you getting agitated?

SHRI P: UPENDRA: Before that... *(Interruptions) . ..*

THE DEPUTY CHAIRMAN: One by one the points of order cam be dealt with. I cannot take *til* of them together. *.....(Interruptions) . . .*

SHRIMATI JAYANTHI NATARA-JAN: Madam, it was at a press conference. . . *(Interruptions)...*

THE DEPUTY CHAIRMAN: I will allow you. ... *(Interruptions).* . . No, I am not permitting you, Mr. Gurudas Das Gupta. I have allowed her. ... *(Interruptions).* . .1 will permit you but not now: I will permit you at the proper time, lust wait a minute. ... *(Interruptions). . .*

SHRIMATI JAYANTHI NATARA-JAN: Madam,- the facts are- totally wrong. He might have made a statement before, a Judge, but what I am refering to is the press conference. He addressed a press conference at the hospital and I am referring to the statement made at the press conference.

THE DEPUTY CHAIRMAN: She_ is referring to the press conference, which is not *sub jitdice.* ... *(Interruptions)....*

SHRI TINDIVANA.M G. VENKAT-RAMAN: I protest against this. You have permitted it. As a lawyer, do yon mean to say that a press conference can be held by. an accused person? How can an accused person be allowed to 'hold a press conference? It is outside the Criminal Procedure Code. . .. *(Interruptions) .. .* An accused person holding a press conference is unknown. . . . *(Interruptions) . . .*

SHRI V. NARAYANASAMY (Pondicherry): Madam, whatever statement h\ has made before the judicial . officers was released to the press... *(Interruptions)* ...

SHRI VJTHALRAO MADHAVRAO JADHAV (Maharashtra): Mr. Karunanidhi-has- held a press confereneee. *(Interruptions)* ...

SHRI R. K. DHAWAN (Andhra Pradesh): Please sit down. She is allowing everybody. *(Interruptions)*

SHRI P. UPENDRA: Madam, in your wisdom yon allowed the lady Member..

THE DEPUTY CHAIRMAN: Yes, in my wMtomi I have allowed her. I am allowing others also. I am allowing not only Mrs. Jayanthi Natarajan but T am allowing other people also.

SHRI P. UPENDRA: You allowed the hon. lady Member. .. *(Interruptions)*

MR. R. K. DHAWAN: Mrs. Jayanthi Natarajan is speaking. Why don't you allow her to speak?

SHRI P. UPENDRA: You allowed the hon. lady Member to draw the attention of the Home Minister to a purported statement of the ex-Home Secretary of Tamil Nadu. Now she is going much beyond the Press reports, and she has also started discussing the merits of the statement. Tt is not allowed because about the statement itself there are allegations that it was made under duress and inducement. We should not go into the merits of the statement and all that. Let the Home Minister react and say what he is going to do about it because there is a demand for an enquiry into the whole matter from 19*3 onwards. Therefore, let the lady Member confine herself to drawing the Minister's attention to that.

THE DEPUTY CHAIRMAN: Okay. I will ask her to confine herself to the Press report.

SHRIMATI JAYANTHI NATARA-JAN: I will confine myself to that Madam, with great respect. I am not trying to go out of that. We are vitally concerned with the subject. What can be of more importance tfa^n this? There is no reasons for me to speak about anything elye.

Madam, the only point I was tryimg to make is that according *to* the Press re ports, Mr. Nagarajan has now come out and told tile Press that at that time when the killers Of Padmanabham were allowed to escajie, he, as the Home Secretary, contacted the police authoarities and asked them whether they had taken any steps *to* apprehend the killers. The Chief Minister, Mr. Karnnamdht at that time was in Delhi sitting with Mr. V. P. Singh in the National Integration Council meeting. *(Interruptions)*

SHRI P. UPENDRA: Why should she go into all these things?

SHRIMATI JAYANTHI NATARA-JAN: Why not? *(Interruptions)*

THE DEPUTY CHAIRMAN: I want to ask one thing from the Member: Are we interested in getting. .. *(Interruptions)* Just a minute, please.

SHRI GURUDAS DAS GUPTA: What is she discussing?

THE DEPUTY CHAIRMAN: You know what she is discussing. Please s»'t down. Are you interested in finding out the killers or not?

SHRI DJPEN GHOSH: Madam, what she has quoted, I am reading out. I am on a point or order. *(Interruption)* I am quoting from the same newspaper from which Mir. Jayanthi Natarajan was quoting. It says that it was recorded on oath. That statement which was given by Mr. Nagarajan was given on oath before a Judicial Magistrate. Mow can you discuss that statement here?

THE DEPUTY CHAIRMAN: It came in the papers. She is talking about the newspaper reports. *(Interruptoins)* Just a minute. Let the Home Minister clarify it. *(Interruptions)*

SHRI DIPEN GHOSH: Let it be laid on the Table of the House.

THE DEPUTY CHAIRMAN: Let the Home Minister clarify the posititon.

SHRI M. S. GURUPADASWAMY: Before the Minister make a statement, I have a point of order, Madam, *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Madam, will you allow us to speak? *{Interruptions)*

THE DEPUTY CHAIRMAN; The demand was that the Home Minister should come. Let the Home Minister clarify its legality. *(Interruptions)*

aam v. NARAYANASAMY: Mkdam, I want the Home Minister to make a statement Oat he would arrest not only Mr. Kttraaanidhi but other persons also who are responsible.

उपसभापति : होम मिनिस्टर साहब आप बोलिये । आप क्लेरीफाई करना चाहते थे । . . . (व्यवधान) . .

I am not allowing. Let him react. .. . *(Interruptions)*... I allow them to speak. (Let him clarify ... *(Interruptions)* ... Yes, I will allow them. .. .*(Interruption)* You dont listen to me. Please sit down. Take your sent. I will allow yon later... *(Interruptions)*... Just a minute, please take your seat. The argument is whether iMrs. Jayanthi Natarajan can make a statement or not. Let the Home Minister clarify whether she can make a statement or not. . . . *(Interruptions)* . .

SHRI DIPEN GHOSH: You have to given the ruling not the Home Minister ... *(Interruptions)*. . .

THE DEPUTY CHAIRMAN: I will allow you. ... *(Interruptions)* .. .1 promise, I will allow you. ... *(Interruptions)*... *All* right, Mr. Home Minister, you speak at the end.

. . (व्यवधान) . . . आप बैठिए । (व्यवधान)

Okay, I will permit everybody if it » the consensus of the House. .. . *(Inter. rupHons)*..

SHRI TJNDWANAM G. VENKA-TRIAMAN: I want to make a statement.

THE DEPUTY CHAIRMAN; I wili aJtaw you to speak.

SHRI TJNDIVANAM G. VENKAT-RAMAN: How can the Home Minister react without listening to us?

THE DEPUTY CHAIRMAN: He is not reacting on that.

SHM TJND1VANAM G. VEN3KAT-RAMAN: She should not *bum Hmn* allowed. ... *(Interruptions)*.. .My respectful subauMfeft is. I may be permit' ted to speak. I may be permitted to speak.

THE DEPUTY CHAIRMAN: I will allow you. You go back.

SHRI M. S. GURUPADASWAMY: Let the Home Minister make a statement later.

डा० रत्नाकर पांडेय : महोदया, इधर भी ध्यान दें . . . (व्यवधान) . . .

उपसभापति : मेरा ध्यान सब तरफ है । आप कृपया अपना ध्यान रखें ।

Now, Mrs. Jayanthi, if you have finished, please sit down.

SHRI M. S. GURUPADASWAiMY : Madam, you have promised to bear both the sides. ... *(Interruptions)*...

THE DEPUTY CHAIRMAN: I am not allowing anybody. Why dost you hear him?

SHRI M. S. GURUPADASWAiMY: Let him make a statement after hearing both the sides. I have no objection.

THE DEPUTY CHAIRMAN: That was a different thing an whkfa he was going to react not on the statement issue. ... *(Interruptions)*... If the Mouse is not interested, that is all right . . . *(Interruptions)* ...

SHRI DIPEIN GHOSH; I am on a point of order.

THE DEPUTY CHAIRMAN: Please don't interrupt. I am not permittmg *evm* a point of order... *(Interruptions)*... I am not disposing of anything. Mrs. Jayanthi, please speak.

SHRI DIPEN GHOSH: You have allowed Mrs. Jayanthi Natarajan to make a statement ... *(Interruptions)*.. .Judicial Magistrate.

THE DEPUTY CHAIRMAN: I think we are getting into the technicalities and we do not want to know who the killers are. Wo will only be protecting the terrorists. That is all. .. .*(.Interruptions)* ; . .

SHRI M. S. GURUPADASWAMY: Rajiv Gandhi was killed because there . were lapses. Nobody is hauled up so for. . .*(Interruptions)* . ..

SHRI YASHWANT SINHA (Bihar): It is not fair. .*(Interruptions)*. . .

THE DEPUTY CHAIRMAN: Why are you behaving Tike that? Go back to your, seats. ...*(Interruptions)*... Please sit down.

SHRr YJESHWANT SINHA: You have cast aspersions on the whole House.

SHRI GURUDAS DAS GUPTA: I am on a .point of order. Madam, you have said that we want to protect the killers. I say.. .*(Interruptions)*.. .

SHRI M. S. GURUPADASWAMY: 1 am on a point or order . . . *(Interruptions)*

THE DEPUTY CHAIRMAN: Please listen to me. . . . *(Interruptions)* . . .Just a minute.

आप बात सुनिए एक मिनट ।

SHRI S. VIDUTHALA VIRUMBI; Nobody wants to protect the terrorists. . . .*(Interruptions)*. .

THE DEPUTY CHAIRMAN: I am not implicating anybody. Listen to me. Just a minute. . *(Interruptions)*. . Listen to me first. . . . *(Interruptions)*. . .You cannot say "no". . . . *(Interruptions)* . . . Please keep quieet. ..*(Interruptions)*.. . I will allow you, just a minute.

आप बैठिए ।

Not only Mrs. Jayanthi Natarajan is agitated but the whole House is agitated over the issue.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): When the Deputy Ch airman is on her legs, all the Members should sit down. . .. *(Interruptions)*... You were a Parliamentary Affairs Minister and yet you do not know the cultrue of the Parliament. ...*(Interruptions)* ...

THE DEPUTY CHAIRMAN: Please take your seats. ... *(Interruptions)* Have patience. Not only Mrs. Jayanthi Natarajan and other Congress Members are agitated over the issue but the whole House. ...*(Interruptions)*... Please don't interrupt when I am speaking. That is why confusion takes please and wrong things happen. We are concerned not only about the terrorists who have killed Rajiv Gandhi but also about the (terrorists who have planted a bomb in the Air India flight which we are going to take it up after that ...*(interruptions)*.. 1 promise every body that we are going to itake it up after Mr. Jayanthi concludes her submission. I have promised that the other party wil'l also get an opportunity to speak... *(Interruptions)*... Mr. Dipen Ghosh, will you have patience? If you do not what Mrs. Jayanthi to speak, then, they also do not want others to speak . . . *(Interruption)* . . .Just a minute. Let me talk to Mr. Dipen Ghosh first. ... *(Interruptions)* ...Please take your seats. Everyone of us is concerned about it. Are'nt we concerned to find out who are the killers of innocent people including Mr. Rajiv Gandhi? . . .*(Interruptions)* . Right, now let u_s find out a way, how yau want to discuss it. That is the point J wanted the Home Minister to react *to*. . . *Alnteirup'ions)* . ..

SHRI YASHWANT SINHA; Madam, during the course of your statement, you have made an unfortunate remark from the Chair casting aspersions against the $whol_e$ House. . .*(Interruptions)*

SHRI S. VIDUTHALAI VIRUMBI: Madam, you said that we are protecting terrorists.

THE DEPUTY CHAIRMAN; I did not say that. ..*(Interruptions)* . ..Pleasesit down. I will tell you exactly what I said.

आप बैठिए, इतना गुस्सा मत करिए । . . . (व्यवधान) .

Please sit down. You have been Leader of the House, please take your seat. You have also been Leader of the House. I do not know taw many Leaders I have to deal with. I said, if we get into the tech nicalities, we will never find out who kil led. . . *(Interruptions)*... Let us think about it. That is what I meant. I will look into the record,... *(Interruptions)*... I promise, I will look into the record, If there is anything wrong, I will look into it and remove it. ,

SHRI DIGVIIAY SINGH (Bihar): How can she say that we are protecting the terrorists... *((Interruptions)*...

THE DEPUTY CHAIRMAN: Please don't get envolved... *(Interruptions)*...

SHRr TINDIVANAM *G.* VENKA-TRAMAN; I must be permitted to have my say.. . *(Interruptions)*.. .

THE DEPUTY CHAIRMAN; What is *fae* point of order?

SHRI S. VIDUTHALAI VIRUMBI: We are not protecting the killers of Rajiv Gandhi. Let them find out the culprits and punish them.

SHRT TINDIVANAM G. VENKA-TRAMAN; We are questioning the bali-dity... *(Interruptions)*.. . A Commission of Inquiry headed by a ludge of the Supreme Court should inquire into the things from 1983 onwards.

SHRI DIPEN GHOSH: I am at a loss to understand as to how this House by discussing about *the* killing of Rajiv Gandhi... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Let the Home Minister react to it. I have done my job. Mr. Ghosh, it is not my job, how it will be discussed.

SHRI DIPEN GHOSH: Who is the killer? We are interested to know. Can you tell me by discussing this issue, how we can find out here who the killer is? «21 RS—*6.*

THE DEPUTY CHAIRMAN: We discussed in the past many things in the House. We have discussed this ilssue before also. I>et us discuss it.

SHRI DIPEN GHOSH: It is a question Of procedure.

1.00 P.M.

THE DEPUTY CHAIRMAN; Let me discuss it with the Parliamentary Affairs Minister. Let me find out what the procedure is.

SHRI YASHWANT SINHA: Madam Deputy Chairman, the Home Minister is here *(Interruptions),* We are all interested in finding out, as the Chair has said, who the killers of Mr. Rajiv Gandhi are. Now t'he Home Minister is here. Let him make a statement and let us discuss it.

THE DEPUTY CHAIRMAN: But you don't allow him.

SHRI YASHWANT SINHA; Is he ready to make a statement? I am making a special suggestion *(Interruptions).* Mr. Kulkami suggested. Let the Home Minis-. ter make a statement on the progress in regard to the Rajiv Gandhi case and let us discuss it-

THE DEPUTY CHAIRMAN; Do you want him to make a statement now? Let him make a statement.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN). May I suggest this? *(Interruptions).*

THE DEPUTY CHAIRMAN; When the Home Minister wanted to make a statement... *(Interruptions).* See there is no agreement among you. You say the Home Minister should speak and they do not want him to speak.

SHRI YASHWANT SINHA: He wants to intervene in this debate. But let the Home Minister make a statement on what the progress of the Rajiv Gandhi murder case is. Let him make a *suo motu* statement... *(Interruptions)*... Then we shall discuss it.

THE DEPUTY CHAIRMAN: All of you, please sit down. Let the Home Minister say what he wants to.

SHRI M. S. GURlUPAiDASWAMY: Please hear this side also.

SHRI S. VIDUTHALAI VIRUMBI: Madam, you must give hon. Members permission to make fiieir submissions. Then the Home Minister can react.

THE DEPUTY CHAIRMAN: You speak to your own colleagues. You discuss it with them.

SHRI TINDIVANAM G. VENKATRAMAN: Madam, let the Home Minister react after hearing our views. I must be given a chance. Mrs Jayanthi Natarajan has represented that side. She 'has gone on record for fifteen minutes. Now I should be given a chance.

SHRI S. VIDUTHALAI VIRUMBI: Madam, you must allow him.

SHRI TINDIVANAM G. VENKATRAMAN; Let him hear my submissions and than react.

THE DEPUTY CHAIRMAN; Either you want this to continue as the Zero Hour.. . *(Interruptions).*

डा० रत्नाकर पाण्डेय : महोदया . . .

उपसभापति : आप डिस्टर्ब मत कीजिए पाण्डेय जी । जब मैं बोल रही हूं तो मैं खद हैंडिल कर सकती हू। आप कृपया बैठ जाइए ।

The former Leader of the House, Mr. Yashwant Sinha, suggested that the Home Minister should make a *suo motu* statement and then you all would ask clarifications. .. *(Interruptions)* That is what he said.

SHRI TINDIVANAM G. VENKATRAMAN: So many allegations were made. I must be given an opportunity to retort. Then the Home Minister can react. I cannot be denied a chance. I must react to the allegations made.

SHRI S. VIDUTHALAI VIRUMBI: He must be allowed to react.

THE DEPUTY CHAIRMAN; Please take your seats. What did you suggest, Mr. Sinha?

SHRI YASHWANT SINHA: Madam Deputy Chairman, w'nen you permitted Mrs. Jayanthi Natarajan to make a statement, a number of points of order were raised from this side and Mr. Di-pen Ghosh was raising a point of order about the matter being *sub judice* and the House being able to discuss it or not. We were listening to that when in the course of your intervention, Madam Deputy Chairman, you made a remark which I thought was unfortunate because ...

THE DEPUTY CHAIRMAN: That remark was entirely different. I will tell you what I have explained. You now tell me what you suggested.

SHRI YASHWANT SINHA; My suggestion is because of what you said.

THE DEPUTY CHAIRMAN: No. That was not.

SHRI YASHWANT SINHA; Madam Deputy Chairman, it arises from the fact that you said. ,"Is not the House interested in finding out who the killers of Mr. Rajiv Gandhi are?" In response to that I said and Mr. Dipen Ghosh also said, how can the House, by discussing this particular issue decide $_{w}h_{0}$ the killers of Mr. Rajiv Gandhi are and if this House can at all discuss this, then I wondered whether the Home Minister... *(Interruptions)* .

THE DEPUTY CHAIRMAN: You didn't use the word "wonder". . . *(Interruptions)*

SHRI YASHWANT SINHA; I said, will he make a statement, a *suo motu* statement on file progress of the Rajiv Gandhi's murder case?

(Interruptions).

THE DEPUTY CHAIRMAN: No, no. You didn't say all that. *(Interruptions)*.. .

SHRI YASHWANT SINHA; i said it. You look into the record. *(Interruptions)*

THE DEPUTY CHAIRMAN; WiU you please take you seat? When the House was agitated in the morning, when the Members came to the well of the House, I adjourned the House I said, what do they want? They wanted the Home Minister to cotme and have a discussion or whatever they wanted to say should be there. Then the Members from the Opposition, t'he DMK Members asked that they also want to speak. They said it in the Chairman's Chamber. The wanted to make a statement. Shrimati Jayanfhi Natarajan wanted to make a special mention. There was a demand from the cross section of the House that they wanted to speak. Now, it is for the House to decide whether they, in tfte first instance, want the Members to speak and then the Home Minister to react or they want the Home Minister to make a *suo motu* statement and then to react- *(Interruptions)*

SHRI S. VIDUTHALAI VIRUMBI: Madam, since yol allowed Shrimati Jaya-nthi Natarajan to speak, she has spoken. *(Interruptions).* You please allow us to speak.

THE DEPUTY CHAIRMAN: I will allow you. *(Interruptions)*

SHRI M. S. GURUPADASWAMY: Madam, I want to make a submission. *(Interruptions)*

THE DEPUTY CHAIRMAN; Now, that matter is closed. Please go back to your seat. *(Interruptions}*. That matter is closed. *(Interruptions)*

SHiRI M. S. GURUPADASWAMY: 'Madam, please here me. *(Interruptions)*

SHRI GHULAM NABI AZAD, Madam, let everybody speak and then the home Minister can react- *(Interruptions)* .

THE DEPUTY CHAIRMAN: That was what was agreed to. *(Interruptions).* You did not hear. That *h* exactly what I had announced. That is the trouble:

SHRI JAGESH DESAI (Maharashtra): Madam, you have shown the very correct way. Let the Home Minister make a statement (*Interruptions),*

SHRI S. B. CHAVAN; I do not want to make, any *suo motu* statement at all and that is why I say, whatever the Members say, I will react to that.

THE DEPUTY CHAIRMAN: Now, Mrs. Jayanthi Natarajan, will you jplease conclude?

SHRIMATI JAYANTHI NATARAJAN: Madam, I am just reading from the press report. I am not reading a state ment. So there is no need to get agitated about anything being *sub judice.* I am only saying what he has said. "The killers of ... *(Interruptions).* .Madam, my point is very simple. When the Chief Minister, Mr. Karunanidhi gave oral instructions to allow the killers of Padmanabha to escape, those same killers were the killers of Shri Rajiv Gand'hi. If they had not been allowed to escape, Shri Rajiv Gandhi would be alive today. This is the tragedy of the situation. Mr. Nagarajan has said that oral instructions were given by the Chief Minister and he confirmed it from fhe police when he asked the (police authorities. They told him that the Chief Minister 'had given oral instructions to allow those people to escape. The second part of the statement is, h_e save that he was not giving the statement under any pressure from anybody. In another press report, he save. . .*(Interruptions).*

SHRI SATYA PRAMASH MALAVIYA: Madam, I am on a point of order. I will invite your attention to sub rule (i) of rule 238 of the Rules of Procedure and Conduct of Business of this House- *(Interruption). A* member while speaking shall not refer to any matter of fact on which a judicial decision is pending. My

[Shri Satya Prakash Malaviya] submission is that Mrs. Natarajan is speaking about whatever the earlier Home Secretary confessed before a Judicial Magistrate. *(Interruptions).* Therefore, my submission is that we cannot discuss that in this House. *(Interruptions).*

THE DEPUTY CHAIRMAN: Let me ask the Secretary-General. *(Interruptions).* Mr. Dipen Ghosh, I enquired from the Secretary-General.. . *(Interruptions)* ... It is not before th» Court.

SHRI SATYA PRAKASH MA1.AVI-YA: It was a statement made under section 164 of the Cr.PC. ...*(Interruptions)* ...

SHRI DIPEN GHOSH: It should be laid on the Table. We are entitled to go through it. ... *(Interruptions)...*

SHRIMATI JAYANTHI NATARA-JAN: I am not reading it ... *(Interruptions)* . ..

SHRI DIGVIJAY SINGH: Madam, please give a ruling on this.

THE DEPUTY CHAIRMAN: I cannot give my ruling because the whole thing is clear. It is very clear. .. . *(Interruptions)* ... The rule is clear, but the matter is not clear. . .. *(Interruption)* ... Where has he made a statement? .. . *(Interruptions).* . . What is it? .,.. *(Interruptions)* ... He is reading from a press conference. ... *(Interruptions)* ... Don't read it.

श्री सिकन्दर बख्त (मध्य प्रदेश) : सदर साहिबा, एक मिनट मुझे भी दीजिएगा ।

THE DEPUTY CHAIRMAN: I am allowing Sikander Bakhtji. *(Interruptions)*

AN HON. MEMBER: Madam, give a ruling on this. Then the whole thing will be dear. *(Interruptions)*

SHRI SATYA PRAKASH MALAVI-YA: Madam, the statement of Mr. Na-garajan who had been arrested under TADA was recorded for over 200 minutes and ran to 15 typed pages. It was given on oath before the Judicial I Class Magistrate, Tiruchi, Mr. Mano-haran. It is very clear. It is very clear that it was given before a judicial magistrate and not an executive magistrate.

THE DEPUTY CHAIRMAN: Now if the House so agrees. 1 will stop the discussion. *(Interruptions)* Do you want to speak or not?

SHRI DIPEN GHOSH: There must be a difference between .. . *(Interruptions)* .. .

THE DEPUTY CHAIRMAN: Let me find out. Just a minute. Mrs. Natara-jan, are you making a statement on which any judicial enquiry or a matter is before the court?

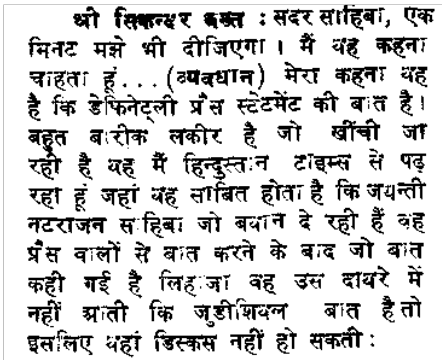
SHRIMATI JAYANTHI NATARA-JAN: No, Madam.

THE DEPUTY CHAIRMAN: What is it you are referring to? ... *(Inter ruptions)...* Let me ask her what she is reading. . . . *(Interruptions)* ... Let me ask her. . . . *(Interruptions).* .. No, don't give it to me. I will ask her. .. . *(Interruptions)* .. . Please sit down. Let her handle it. Let her handle her problem. She knows what she is talking about. How would you know what she is talking about? If she is talking, let her talk.. . *(Interruptions)..* .

DR. NAGEN SAIKIA (Assam): Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: Just a minute. She is answering. She is saying something. ... *(Interruptions)* ... Let me find out what is it she is referring to. ... *(Interruptions)* ... Can you know, Mr. Dipen Ghosh, what she is referring to?.... *(Interruptions)* ...

DR. NAGEN SAIKIA: She said she is not reading out from the statement which was made before the judicial magistrate. My point is how a TADA detainee could issue a press statement if it is not before a judicial magistrate. ... *(Interruptions)*....



श्री सिकन्दर बख्त : सदर साहिबा, एक मिनट मझे भी दीजिएगा । मैं यह कहना चाहता हूं . . . (व्यवधान) मेरा कहना यह है कि डेफिनेट्ली प्रैस स्टेटमेंट की बात है। बहुत बारीक लकीर है जो खींची जा रही है यह मैं हिन्दुस्तान टाइम्स से पढ़ रहा हूं जहां यह साबित होता है कि जयन्ती नटराजन साहिबा जो बयान दे रही हैं वह प्रैस वालों से बात करने के बाद जो बात कही गई है लिहाजा वह उस दायरे में नहीं आती कि जुडीशियल बात है तो इसलिए यहां डिस्कस नहीं हो सकती :

"Later speaking to the press-persons at the hospital Mr. Nagarajan said his statemen, to the Judicial Magist rate. . . was not confessional. ,

It means that he did make this statement to the press people. If he did make this statement to the press people the House has all the right to discuss it.

SHRIMATI JAYANTHI NATARA-JAN: Madam, let *me.... (Interruptions) .. .*

THE DEPUTY CHAIRMAN: Now, (you please conclude so that I can al low some other person . *(Interrup tions)...* Let her finish. *(Interrup tions) .. .*

SHRI GURDAS DAS GUPTA: Madam, please listen to me. *(Interruptions) ...*

AN HON. MEMBER; Don't create a bad precedent, Madam.

THE DEPUTY CHAIRMAN: I am not creating any bad precedent. *(Inter* ruptions) . . .* We did not discuss anything in the Zero Hour. *(Interruptions) . . .* Let her conclude. *(Interruptions). . .*

SHRI GURUDAS DAS GUPTA: Madam,, do you allow me? You are allowing everybody. Madam, let me make a submission.

SHRI DIPEN GHOSH: She is speaking on a material which is culled out from a statement made before a judicial magistrate. Therefore, I have an objection. What is the point *ot...(Interruptions) ...*

SHRIMATI JAYANTHI NATARA-JAN: No. Madam ------ *(Interruption)...*

THE DEPUTY CHAIRMAN: I am not allowing you, Mr. Guarudas Das Gupta. Will you please take your seat. Let us have something. *(Interruptions)* .. .Please. *(Interruptions)...*

SHRI GURUDAS DAS GUPTA: Madam, I have an objection. *(Interruptions) ...*

THE DEPUTY CHAIRMAN: You may have an objection. I don't dispute that you don't have any objection. But I only request you to please sit down so that I can allow before the lunch hour the other part also to say what ithey want to say. Please. *(Interruptions). . .*Let us finish her and allow the other aggrieved parties to say something, There is their right also. *(Interruptions) ...*

SHRIMATI JAYANTHI NATARA-JAN: Madam, I am now concluding. All I am trying to say is that it has now become very clear that the then Chief Minister Mr. Karunanidbi, was responsible for letting the LTTE to run amuck and thereby indirectly responsible for the killing of Shri Rajiv Gandhi and I demand that he should be immediately arrested under TADA. *(Interruptions) . ..*

SHRI M. S. GURUPADASWAMY: Madam, I am on a point of order. *(Interruptions) ..-.*

DR. BAPU KALDATE (Maharashtra): Why did you say like this? You are responsible for that. You ran away from the scene. *(Interruptions). . .*

SHRI MOHAMMED AFZAL *alias* MEEM AFZAL: *At* the time of the murder. Mrs. Jayanthi Natarajan was there. *(Interruptions) . . .*

DR. BAPU KALDATE: Why did you run away to meet the journalist? You are responsible for it. *(Interruptions)*

SHRI V. NARAYANASAMY: Mr. Karunanidhi was responsible for both; the murders—one is of Mr. Padmanabha lamd the other is of our leader Rajiv Gandhi. *(Interruptions)* ...

SHRI M. S. GURUPADASWAMY: Madam, I say that she has made a very irresponsible statement. *(Interruptions)* .. .She has stated that Mr. Karunanidhi was responsible for the murder of Mr Rajiv Gandhi. It is an irresponsible statement to make and you are allows ing it to go on record. *(Interruptions)*..

SHRI YASHWANT SINHA: Madam, I am asking a simple question. Did Mrs. Jayanthi Natarajan state this before the Verma Commission? Will she say it in a supplementary affidavit? Will you say it before the Verma Commission? *(Interruptions)* ...

SHRI MENTAY PADMANABHAM (Andhra Pradesh): Even if she has stated that before the Verma Commission, she has no ringht to say that word here.

SHRIMATI JAYANTHI NATARA-JAN: Why not?

SHRI M. S. GURUPADASWAMY: Madam, she has made a very irresponsible statement. . . *(Interruptions).* . . Please remove it from the records.. . *(Interruptions)*.. .

THE DEPUTY CHAIRMAN: I will talk to her.. . *(Interruptions)* . ..

DR. BAPU KALDATE: You don't have to talk to her. . .*(Interruptions)* ... You must see that it is expunged. . . *(Interruptions)* . . .

SHRI V. NARAYANASAMY: Karunanidhi is responsible for the murder of Rajiv Gandhi. . . *(Interruptions)*

SHRI TINDIVANAM G. VENKATA-RAMAN: She cannot draw her own conelusfcrfls... *(Interruptions)* ...

THE DEPUTY CHAIRMAN: Mr. Venkataraman, please speak... *(Interrup tions)* .....

SHRI TINDIVANAM G. VENKATA-RAMAN: Madam, Deputy Chairman, I want to apprise this august House of the extraordinary... *(Interruptions)*... situation prevailing in Tamil Nadu... *(Inter. ruptions)*... A mini-emergency has been imposed in the State with the indiscriminate use of , TADA. . . *(Interruptions)* .. .This has resulted in the; AIADMK government invoking and con-cocting false cases to quieten its political adversaries. . . *(Interruptions)* . . . and browbeat government servants in high offices under threat and blackmail. . . *(Interruptions)*.. . Government servants are used as pawns in the political game to make false and baseless allegations against the former Chief Minister, Dr. Kalain-gar. . . *(Interruptions)*

SHRI M. VINCENT: TADA was used by Karunanidhi when he was the Chief Minister of Tamil Nadu... *(Interruptions)* . .. Thamaraihani was MLA in 1977, 1980 and 1984. . .*(Interruptions)* .. .He was arrested by Karunanidhi under TADA.. .*(Interruptions)* ...

SHRI TINDIVANAM G. VFNKATA RAMAN: Mr. Vincent, don't edge me I have a right to speak.. .*(Interrup tions)...A* smear campaign is going oi systematically and continuously to brain wash the people. . . *(Interruptions)* .. to depict the DMK Chief as one wh< has. . . *(Interruptions)* . . . soft-pedalled ot the militant activities in the State... *(In 1irruptions)*.. . This is contrary to trufJ as borne out by Government records.. *(Interruptions)*.. . We want a full-Hedge commission of inquiry headed by a sittin; Supreme Court judge.. . *(Interruptions)*.. to go into the LTTE activities from 198 till date.. . *(Interruptions)*... to inqui) into.. . *(Interruptions)*.. . who invite and.. . *(Interruptions)*.. . and allowe LTTE melitants on Indian soil.. . *(Inte ruptions)*... Who encouraged militants ′ 31 training camps to train them in gueriH

warfare?... *(Interruptions,)*... Who gave plenty... *(Interruptions)*... of funds, arms and ammunition to the militants... *(Interruptions)*... Who gave 4 crores of money.. .*(Interruptions)*... tin one day to purchase arms and ammunition.. . *(Interruptions)* ... Who convened peace meetings of militants and directed the DMK Chief, Dr. Kalaingar, to mediate... *(Interruptions)*.. . for settling the Sri Ltnkan Tamil fssue.-. *(Interruptions)*... Who before coming to power spoke aloud... *(Interruptions)*... that Dr. Kalaingar did nothing... *(Interruptions)*... to help the militants?.. . *(Interruptions)*.. . Whc expended f uli support to.. . *(Interruptions)*... militants under the very nose of the late Prime Minister, Shri Rajiv Gandh?',.. *(Interruptions)*... and said that the destruction of militants in Sri Lanka is destruction of the Tamil race.. . *(InterruptionQ*.... Wro after coming to power, said that the DMK Chief soft pedalled militant activities in Tamil Nadu? . .*(Interruptions)*.. . *Who* had let loose the culprits who bomb-blasted the Meenambakam airport... *Unterruptions)*.. . in Madras resulting in in about 40 deaths... *(Interruptions)*.. Who are the people who sent 100 militants... *(Interruptions)*... through an IAF plane to Colombo?... *(Interruptions)*...

THE DEPUTY CHAIRMAN: I cannot hear anything. Can you people hear?.. . *(Interruptions)*.. .

SHRI TINDIVANAM G. VENKATA-RAMAN: Madam, I want to submit.. *(Interruptions)*... the statement made by the Home Secretary, Mr. Nagarajan.. *(Interruptions)* ... on November 23rd... *(Interruptions)*... He stated that he had been made a pawn.. . *(Interruptions)*.. . Mr. Nagarajan, told the magistrate.... *(Interruptions)*... that the Police Department's Secretary had submitted.. . *(Inter ruptions)*... in 80-page report... *(Inter ruptions)* .. . detailing the activities of the TT).. . *(Interruptions)*... He said that it was done at the instance of Ac Government... *(Interrupteons)*.. . Madam. our party Chief Dr. Kalaingar.. . *(Interruptions)* ... has declared that he is clear in his conscience... *(Interruptions)*... He has respected the oath of office... *(Interruptions)* ... as the then Chief Menister of Tamil Nadu... *(Interruptions)*... He said that his administrations was an open book... *(Interruptions)*... and in keeping with the democratic norms.. . *(Interruptions)*... and national interest... *(Interruptions)* ... Madam, our party is prepared to... *(Interruptions)*... face the challenges... *(Interruptions)*... but this House should put an end to the foul igame.. . *(Interruptions)*.. .in politics that is being practised by the present rules of Tamil Nadu... *(Interruptions)*.,. Madam, there is no provision under the Criminal Procedure Code or under the criminal law under which an accused is allowed... *(Interruptions)*... to appear before *ai* Magistrate... *(Interruptions)*... and make a statement.. . *(Interruptions)* .. .

THE DEPUTY CHAIRMAN: All right. I am adjourning the House. The House is adjourned for lunch till 2-30 P.M. today.

The House then adjourned for lunch at twenty-six minutes past one of the clock.

The House re-assembled after lunch at thirty-three minutes past two of the clock,

[The Vice-Chairman (Shri Bbaskar Amaji Masodkar) in the Chair]

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR); Now...

SHRI TINDIVANAM G. VENKATA-RAMAN; Sir, I have yet to complete... *(Interruptions)*

THE VICE-CHAIRMAN (SHRIBHAS-KAR ANNAJI MASODKAR); Zero Hour is over. If there is anything. ..

SHRI TINDIVANAM G. VENKATA-RAMAN): I have not completed, Sir.

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR); Zero Hour matters only tomorrow.

SHRI S. VIDUTHALAI VTRUMBI: He has not completed, Sir.

THE VICE-CHAIRMAN (SHRIBHASKAR ANNAJI MASODKAR): Please co-operate with the House now.

SHRI S. VIDUTHALAI VIRUMBI: We are co-operating, Sir. Hon. Deputy Chairman adjourned the House before he completed his speech. *(Interruptions)*

SHRI SATCHIDANANDA (Karnataka): Sir, they should go back *to* iheir seats.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): They will go back.

SHRI TINDIVANAM *Q.* VENKATRAMAN; I have got the permission...

THE VICE-CHAIRMAN (SHRIBHASKAR ANNAJI MASODKAR): Just listen. The matters concerning Zero Hour cannot be taken up now. We must go on with our own business.

SHRI TINDIVANAM G. VENKATARAMAN: Just one minute Sir.

THE VICE-CHAIRMAN (SHRIBBASKAR ANNAJI MASODKAR): It cannot be. You can raise it tomorrow. ,

SHRI TINDIVANAM G. VENKATRAMAN; I will finish in two minutes...

THE VICE-CHAIRMAN (SHRIBHASKAR ANNAJI MASODKAR): We have got more important business. *(Interruptions)* You can table it, if you want, That is all.

SHRI TINDIVANAM G. VENKATARAMAN; Only two minutes, Sir.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR); Not a single minute. This is not the method. If the Zero Hour is over, it is over.

SHRI TINDIVANAM G. VENKATARAMAN; I took only three minutes, Sir, I want only one minute more.

THE VICE-CHAIRMAN (SHRI BHASKAR AMNAJl MASODKAR): No, no. Just listen. It is never done. You can ask some senior leaders. What is this happening? Zero Hour is over.

SHRI TINDIVANAM G. VENKATARAMAN; I have to complete, Sir.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Tomorrow you can do if you want. The Chairman will be there. *(Interruptions)*

SHRI G. SWAMINATHAN (Tamil Nadu); Sir, the hon. Member has raised a point. I want to answer. I must have my say... *(Interruptions)*

SHRI S. VIDUTHALAI VIRUMBI; Sir, we have not asked for much time.

THE VICE-CHAIRMAN: (SHRIBHASKAR ANNAJI MASODKAR): You know that this is. Zero Hour. I cannot attend the Zero Hour. *(Interruptions).*

SHRI TINDIVANAM G. VENKATARAMAN: Sir, I want two minutes. My humble submission is that I may be given two minutes.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): No. Now Special Mentions. Shri Anantray Dev-shanker Dave.

SHRI TINDIVANAM G. VENKATARAMAN: Sir, this is niore important.

SHRI G. SWAMINATHAN: We belong to the ruling party and... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Mr. Swaminathan, it is not a debate. Some matter was heard in the Zero Hour and that is over now. You can raise this issue tomorrow. In the Zero Hour you can raise any *matter. (Interruptions).*

SHRI S. VIDUTHALAI VIRUMBI; Sir, when he was speaking, all of a sudden hon. Deputy Chairman adjourned the House.

SHRI TINDIVANAM G. VENKATARAMAN; I have not finished my speech. I want only two minutes.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): My difficulty is...

SHRI S, K, T. RAMACHANDRAN (Tamil Nadu): Sir.. . *{Interruptions).*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Mr. Ramachandran, please sit down. *(lnterruptions),*

SHRI S. VIDUTHALAI VIRUMBI: And she also assured that other party leaders also could speak on that issue. It was told by the Deputy Chairman. *(Interruptions)..* .

SHRIMATI IAYANTHI NATARA-JAN; Sir, they... *(Interruptions).*

SHRI TINDIVANAM G. VENKATARAMAN; You have completed. Don't be unfair. You have completed and... *(Interruptions) ,*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR); Have you finished?

SHRI TINDIVANAM G. VENKATARAMAN: No. I have not finished.

THE VICE-CHAIRMAN (SHRI BHAS* KAR ANNAJI MASODKAR): I am not asking about your speech. I am asking about your request. Your request is over. Let us have the ruling from the Chair. My ruling is that the Zero Hour is over and we cannot bring back all the matters of the Zero Hour at the time of Special Mentions. We must go on with the Special Mentions. *(Interruptions)*

SHRIMATI JAYANTHI NATARA-JAN: Sir, it is a breach... *(Interruptions).*

SHRI S. VIDUTHALAI VIRUMBI: You don't want to ... *(Interruptions)* Because you have finished speech. *(Interruptions) .*

SHRI TINDIVANAM G. VENKATARAMAN: Everyday there is a breach. People are speaking without notice and even after the bell. We are not permitted to complete. I want only two minutes. Everyday people are spea*ang even after the *loeU.* They are speaking for 20 to 30 minutes. Can't you allow me two minutes?

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): I cannot bring the Zero Hour back.

SHRI TINDIVANAM G. VENKATRAMAN: I know that. Sir, I beg the Chair not to be partial. I must have my say and complete it. • Sir, I may be permitted.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Please...

SHRI TINDIVANAM G. VENKATARAMAN; People are not observing rules. If you permit them for 10 minutes, they are speaking for 20 minutes. We know that is more in the breech. Why not. we be given... *(Interruptions)*

SHRI S. K. T, RAMACHANDRAN: Sir.. . *(Interruptions).*

SHRI TINDIVANAM G. VENKATARAMAN: I am not saying anything against the Chair. You cannot take this as an aspersion on the Chair. I am only expressing my right. That is why I submit *(Interruptions).*

SHRI S. VIDUTHALAI VIRUMBI: We are not casting aspersions,

SHRI TINDIVANAM G. VENKATARAMAN: I beg the Chair *to* give me two minutes to complete my submission.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): No. That matter is over. I cannot alfow.

SHRI TINDIVANAM G. VENKATARAMAN: Then, we have to make a submission. People should not be permitted to speak more than the allotted time. If people go on talking we will not permit it. That is what we want to submit. My submission, is I want only two minutes. *(Interruptions)* _ They have spoken for 20 minutes. I was not permitted even for five minutes.

THE VICE-CHAIRMAN; (SHRI BHASKAR ANNAJI MASODKAR): Please sit down,

SHRI TINDIVANAM G. VENKATA-RAMAN: I am begging ffiie Chair to give rne two minutes. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR).- Let us /nave some order in the House.

SHRI S. K. T. RAMACHANDRAN: Sir,. . *(Interruptions)*

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR): Would you go back to your seat, Mr. Virumbi?

SHRI MOHAMMED AFZAL *alias* MEEM AFZAL: I have a point of order We are thankful than Chairman permitted Mrs. Jayantixi Natarajan to say some words about a statement. But when the Chairman permitted others to speak, they were making noise. They should also listen to others. When he was speaking, they were making noise deliberately to see that his statement does not go on record...

SHRIMATI JAYANTHI NATARA-JAN; It is totally wrong. How dare you say that about us?

SHRI TINDIVANAM G. VENXATA-RAMAN; We can also do the same mes-chief tomorrow. Sir, I was permitted to speak but I could not complete the statement. So, I request that I should be allowed two minutes to complete it... *(Interruptions).* Sir, Members here speak more in breach of the rules than in observance of the rules.

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR^ What I can do is, we wiil go for special mentions now, I will ask the Deputy Chairman about the position of whatever remained *m the Zero* Hour and if there is anything, I will permit him to speak. But now I win not allow Zero Hour matter to he raised again.

SHRI TINDIVANAM G. VENKAl A-RAMAN; Sir, in this House, rules have been followed more in breach than in observance. I am most respectfully submitting. ..

THE VICE-CHAIRMAN: (SHRI BHAS-KAR ANNAJI MASODKAR): That is not fair. I have said you will b? permitted after the position is clarified.

SHRI TINDIVANAM G. VENKAT-RAMAN; I am only trying to complete my statement. Why should I be denied of this opportunity? I must be given the opportunity.

THE VICE-CHAIRMAN (SHRI BHAS-KAR ANNAJI MASODKAR); All right; you speak only for two minute, and there will be no further discussion.

SHRI SATYA PRAKASH MALAVIYA: And nobody should disturb.

SHRI TINDIVANAM G. VENKATA-RAMAN; Sir, a smear campaign is going on... *(Interruptions).*

SHRIMATI JAYANTHI NATA-RAJAN; He is reading it from the beginning.

SHRI TINDIVANAM G. VENKATA-RAMAN; to harass the family members *o£* our forme$_r$ Chief Minister, Dr. Kalaingar. My colleague on the other side read out a press statement by the so-called accused who was brought to the court in judicial custody— a TADA accused, and fee is issuing statements; he is holding press conference; foe is giving statements. As per my information, that statement is a typed statement. How a TADA accused could get a statement typed for him. I want *to* know. Not only that, ther$_e$ are very vital corrections and insertions made in that statement. Who made those corrections and at what point of time? I secuse the police officer—no les$_s$ than a Superintendent of Police—for having made those corrections and insertions. *(Interruptions)*

You cannot deny that. Who typed the matter for the TADA accused? And who carried out the corrections? There are pages after pages where these corrections have been made. On page No. 2, page No. 6, page No. 8 and 9, typed matter is there where corrections have been made by no less than a police officer of the rank of Superintendent of Police.. . *{Interrup tions).* This is what has happened. Much has been said about hi$_s$ press conference. 1 ask how a TADA accused could get his statement typed and by whom. There-lore, it is all stage-managed. Why is the procedure contemplated in the Criminal Procedure Code? Police officers have to make a submission before the Chief Judi cial Magistrate who will then say that so and so will make a statement. But in this case, an accused person, from the custody, suo motu writes a letter to the Magistrate .. .which is tantamounting. The judicial procedure by itself is violated and the statement is knocked at the bottom of it. I submit that the statement is totally invalid. The statement is a bogus one. It is also nothing but a manufacture by the police officers. . . . *{Interruptions)* . . .

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): I have already said that nobody will be allowed.

SHRIMATI JAYANTHI NATARA-JAN: I have a point of order.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): No point of order.

SHRI G. SWAMINATHAN: Sir, my only point is that in the morning, we wanted to raise the matter...

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): 1 don't permit you . .. *{Interruptions)* I am not permitting you . . . *{Interruptions)* If this is the same, I will look into it. That matter is over ... *{Interruptions)* No point of discussion on this.

SHRIMATI JAYANTHI NATARA-JAN: My point of order is very simple ... *{Interruptions)*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Mr. Swarninathan, please sit down. You can covert it into a debate. I have no objection. But have a proper debate and let us go toy the rules. This is not the way. Mrs. Natarajan, what is your point of order?

SHRIMATI JAYANTHI NATARA-JAN: I have a point of order. My point of order is very simple. In the morning, Mr. Dipen Ghosh and all of them with a grave attachment to the procedure of the House pointed out that was referring to statement on a matter which was sub judice. May I say that the entire speech of his ... *{Interruptions)*

SHRI TINDIVANAM G. VENKAT-RAMAN: If you axe not correct, I am also not correct. You say that you are not correct. In that event, I am also not correct. You are a lawyer and I am also a lawyer and I know where we stand. Equally if you are guilty, I am guilty.

SHRI G. SWAMINATHAN: Sir,...

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): I have rejected your request ... *{Interruptions)*

SHRI TINDIVANAM G. VfiNKATA-RAMAN: It is a typed copy. I am challenging it ... *{Interruptions)*

SHRI S. K. T. RAMAOHANDRAN: How did you get the typed copy? ... *{Interruptions)*

SHRI TINDIVANAM G. VENKATA-RAMAN: You need not ask about that. How did you get your copy? .. . *{Interruptions)* I challenge that it is a typed copy ... *{Interruptions)*

SHRI VIDUTHALAI S. VIRUMBI: The original copy was corrected by the Superintendent of Police.

THE VICE-CHAIRMAN (SHRI iBHASKAR ANNAJI MASODKAR.): Mr. Virumbi. please sit down.. . *{Interruptions)* Mr. Ramachandran, this is not the way. Please go back.

SHRI S. K. IT. RAMCHANDRAN:*

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Mr. Ramacharidran, nothing is going on record.

SHRI G. SWAMINATHAN: I am only raising about what happened today morning. We all got up and wanted to speak. The hon. Deputy Chairman said that either the Home Minister could make a statement in the House or...

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): That matter is over.

SHRI G. SWAMINATHAN: ... Or others could speak and the Home Minister would make a statement afterwards. The Home Minister is here. It is on record.

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Mr. Swaminathan, that matter is over as far as the Zero Hour is concerned.

SHRI G. SWAMINATHAN: *

THE VICE-CHAIRMAN (SHRI iBHASKAR ANNAJI MASODKAR): I am not permitteing. Otherwise, it won't go on record . .. *(Interruptions)* You are entitled to your views are requests. Shri Gopalsinh G. Solanki, ...

SHRI G. SWAMINATHAN: Has what I said gone on record or not?

THE VICE-CHAIRMAN (SHRI BHASKAR ANNAJI MASODKAR): Earlier, it has gone.

SHRI G. SWAMINATHAN: What is it earlier and what is it now?

THE VICE-CHAIRMAN (SHRI iBHASKAR ANNAJI MASODKAR): Your request has gone and my rejection has gone.

*Not recorded.

SPECIAL MENTIONS

Need for Creation of a New Railway Division at Ahmedabad/Gandhinagar

SHRI GOPALSINH G. SOLANKI (Gujarat): I am thankful to you, Mr. Vice Chairman.

The city of Ahmedabad is the most industrial and developed city. Its area falls within the jurisdiction of the three railway divisions which are Baroda, Raj-kot and Bhavnagar. These divisions are located far away from Ahmedabad. The passenger as well as the goods traffic is very heavy at Ahmedabad. Nearly 150 passengers originate and terminate at Ahmedabad railway station and marshalling land transhipment yard at Vatva, Sabarmati, etc. The present arrangement of posting some high officials of railways at Ahmedabad is not enough to meet with the present-day requirements and also it is not possible for the officers at Vadodara to attend to day-to day railway operations. Therefore, there is a constant demand of creation of new Ahmedabad railway division either at Ahmedabad or at Gandhinagar which would not only facilitate the people of the area but will also reduce the burden on Baroda Railway Division which thas the heaviest turnover in comparison to other divisions in the country as well as in the Western Railway, areawise, and covers a very big area. Formerly, the issue of the creation of new railway division at Ahmedabad had been agreed to in principle along with the issue of Malda, Bhopail and Ambala. The new divisions were created at these three places, but for the best reason known to the Railway Ministry Ahmedabad was left out due to some economic problems. I would like to submit to the Railway Ministry, through the hon. Chair, to reconsider this aspect and introduce new Ahmedabad railway division.